



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 67286/204

In re patent application of

James C. KENNEDY et al.

Examiner: S. Sharareh

Serial No. 09/293,835

Group Art Unit: 1619

Filed: April 19, 1999

For: PHOTOCHEMOTHERAPEUTIC METHOD USING 5-AMINOLEVULINIC ACID
AND OTHER PRECURSORS THEREOF

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(c)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants hereby petition the Patent and Trademark Office under 37 C.F.R. §1.102(c) to make special the instant application. It is believed that no fee is due for the instant petition, however, should a fee be required, the PTO is authorized to charge the deposit account No. 19-0741. This petition is submitted on the grounds that one of the present applicants is 65 years of age or more as set forth in 37 C.F.R. § 1.102(c). The basis for the petition is to obtain special status for this application so that it receives expedited prosecution.

MPEP § 708.02 IV provides that "[a]n application may be made special upon filing a petition including any evidence showing that the applicant is 65 years of age, or more, such as a birth certificate or applicant's statement. No fee is required for such a petition."

In the present case, Dr. James C. Kennedy is greater than 65 years of age. A copy of his notarized birth certificate along with a copy of the notarial certificate is attached hereto, thereby providing evidence that Dr. Kennedy is greater than 65 years old and meets the requirements for awarding "special" status to the present application.

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Applicants believe they have satisfied all of the requirements for this patent application to be granted special status. Granting this petition is earnestly solicited.

Respectfully submitted,

January 23, 2002

Date

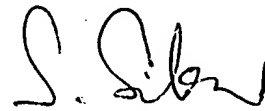
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Mary C. Teal Reg. # 41,545
for Beth A. Burrous
Reg. No. 35,087

NOTARIAL CERTIFICATE

I certify that I have compared the attached copy with the original Birth Certificate of James C. Kennedy, issued at Toronto, Ontario, Canada on 22 November 1957, and that the said copy is a true copy of the original.

Dated at Kingston, Ontario this 8 day of January, 2002.



Stephen J. Scribner
Notary Public
Province of Ontario

Stephen Joseph Scribner, Notary Public,
Frontenac Board of Management, limited to the
attestation of instruments and the taking of affidavits,
for PARTEQ R & D Innovations.
Expires January 9, 2004.